

REMARKS

Claims 1-13 are pending in this application. By this Amendment, claims 1, 2, 4 and 13 are amended to improve clarity, and the title is amended to be more descriptive. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

I. Objection to the Specification

The Office Action objects to the title. The title is amended to be more descriptive, responsive to the objection. Thus, it is respectfully requested that the objection be withdrawn.

II. 35 U.S.C. §112 Rejection

The Office Action rejects claims 1-13 under 35 U.S.C. §112, second paragraph. Specifically, the Office Action asserts that “to continue to receive” in independent claims 1 and 13 suggests that the broadcast reception unit was tuned to the channel that matched the search before the search was executed, and that it is unclear why the reception unit was receiving (tuned to) the channel that matched the search results. The rejection is respectfully traversed.

The Office Action incorrectly interprets claims 1 and 13 by confusing the claimed search condition with a search result, and in assuming that the broadcast reception unit can never be tuned to a channel that matches a user’s preference (e.g., search condition) before or while a search is made by the program search unit. However, claims 1 and 13 are amended to clarify the recited features. Claim 1 (and similarly claim 13) recites that a broadcast reception unit receives a digital broadcast including a program and program guide information. A condition determination unit determines whether or not the program received matches a search condition (e.g., a user’s preferences) based on the program guide information. Then, a program search unit makes a program search by controlling the broadcast reception unit to either (1) continue to receive the digital broadcast containing the program if the program

matches the search condition, or (2) to stop receiving the digital broadcast containing the program if it is determined that the program does not match the search condition, and to receive another digital broadcast.

There is no basis for the Office Action's interpretation that the broadcast reception unit can never be tuned to a channel that matches a user's preference (e.g., search condition) before or while a search is made by the program search unit. Further claims 1 and 13 recite that a program search unit controls the broadcast reception unit to continue to receive the digital broadcast containing the program if it is determined that the program matches the search condition, not search result. Thus, the reception unit can receive (be tuned to) a channel that matches the user's preferences (search condition) before matching search results are generated. Therefore, claims 1 and 13 clearly define the recited features, and are not indefinite. Thus, it is respectfully requested that the rejection be withdrawn.

III. 35 U.S.C. §102 Rejection

The Office Action rejects claims 1-4, 7, 8 and 13 under 35 U.S.C. §102(b) over Maze et al. (Maze), U.S. Patent No. 6,216,264. The rejection is respectfully traversed.

Maze fails to disclose or suggest a program search unit for making a program search by controlling the broadcast reception unit to stop receiving a digital broadcast containing a program if it is determined by a condition determination unit that the program does not match a search condition, and to receive another digital broadcast, as recited in independent claim 1 and similarly recited in independent claim 13.

Maze discloses an apparatus for scheduling the selection of a television program for watching or recording at some future date (col. 1, lines 9-11). Maze teaches that the apparatus searches a listing for specific user-entered information, and upon successful conclusion to the search (i.e., a match), schedules the tuning of the desired program, or in the alternative, notifies the viewer of the availability of the program (col. 1, lines 36-44).

However, as shown in steps 715 and 720 in Fig. 7, Maze teaches that if no match exists between the listing and the search terms, the apparatus simply exits the searching routine (col. 5, lines 30-35). Thus, in Maze, when no match exists, the apparatus exits the searching routine instead of receiving another digital broadcast, as recited in independent claim 1 and similarly recited in independent claim 13. Accordingly, Maze suffers from the deficiencies described on page 3, lines 18-23 of the instant specification.

Thus, Maze fails to disclose or suggest a program search unit for making a program search by controlling the broadcast reception unit to stop receiving a digital broadcast containing a program if it is determined by a condition determination unit that the program does not match a search condition, and to receive another digital broadcast, as recited in independent claim 1 and similarly recited in independent claim 13. Therefore, independent claims 1 and 13 are patentable over Maze.

Because claims 2-4, 7 and 8 incorporate the features of claim 1, these claims also are patentable over Maze for at least this reason, as well as for the additional features these claims recite. Thus, it is respectfully requested that the rejection be withdrawn.

IV. 35 U.S.C. §103 Rejections

The Office Action rejects claims 5 and 6 under 35 U.S.C. §103(a) over Maze in view of Hayashi, U.S. Patent No. 6,588,014; and rejects claims 9-12 under 35 U.S.C. §103(a) over Maze in view of Youman et al. (Youman), U.S. Patent No. 5,629,733. The rejections are respectfully traversed.

Because claims 5, 6 and 9-12 incorporate the features of claim 1, and because Hayashi and Youman fail to overcome the deficiencies of Maze, these claims also are patentable over the applied references for at least this reason, as well as for the additional features these claims recite. Thus, it is respectfully requested that the rejections be withdrawn.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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